

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JOHN TAYLOR,)	
Petitioner,)	
)	
vs.)	Civil Action No. 05-416
)	Judge Schwab/
JEFFREY BEARD, et al.,)	Magistrate Judge Hay
Respondents.)	

AND NOW, this ¹²16 day of February, 200, after the petitioner, John Taylor, filed an action in the above-captioned case, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, upon consideration of the objections filed by petitioner, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS ORDERED that the Petition for Writ of Habeas Corpus is denied as untimely;

IT IS FURTHER ORDERED that a certificate of appealability is denied;

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the plaintiff desires to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.


ARTHUR J. SCHWAB
United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

John L. Taylor
BX9577
SCI Graterford
P.O. Box 244
Graterford, PA 19426-0244


Ronald M. Wabby, Jr.
Assistant District Attorney
Office of the District Attorney
401 Allegheny County Courthouse
Pittsburgh, PA 15219

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ORDER

IT IS FURTHER ORDERED that final judgment of this Court is entered pursuant to Rule 58 of the Federal Rules of Civil Procedure.


ARTHUR J. SCHWAB
United States District Judge 2/16/06

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

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